

SENATE BILL No. 463

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-13-2; IC 9-14-3.5; IC 9-18-2-1; IC 9-24; IC 9-29-3-13.

Synopsis: Identification required for drivers' licenses. Makes certain changes concerning the contents of and application procedure for a driver's license, learner's permit, or identification card to comply with federal law. Provides for varying expiration dates for a driver's license, learners' permit, and identification cards based on the holder's lawful status in the United States. Requires that an application for a driver's license, permit, or identification card by a person who does not have a Social Security number include: (1) a verification of the applicant's ineligibility for a Social Security number; and (2) a verification of the applicant's identity and lawful status in the United States. Permits the bureau to adopt rules to temporarily invalidate a motor vehicle registration, license, permit, or identity card if the bureau believes that the registration, license, permit, or identification card was issued based on fraudulent documentation. Makes other changes and conforming amendments. Makes technical corrections.

Effective: Upon passage; July 1, 2007.

Heinold, Wyss

January 11, 2007, read first time and referred to Committee on Homeland Security, Transportation & Veterans Affairs.

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First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

SENATE BILL No. 463

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-13-2-48 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 48. "Driver's license"
3 means any type of license ~~or privilege to operate a motor vehicle issued~~
4 ~~under the laws of a jurisdiction:~~ **issued by the state authorizing an**
5 **individual to operate a motor vehicle on public streets, roads, or**
6 **highways.**

7 SECTION 2. IC 9-13-2-74.5 IS ADDED TO THE INDIANA CODE
8 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
9 1, 2007]: **Sec. 74.5. "Identification card" means an identification**
10 **document issued by a state government for purposes of**
11 **identification.**

12 SECTION 3. IC 9-13-2-123.5 IS ADDED TO THE INDIANA
13 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
14 [EFFECTIVE JULY 1, 2007]: **Sec. 123.5. "Permit" means any kind**
15 **of permit issued by the state authorizing an individual to operate**
16 **a motor vehicle on public streets, roads, or highways.**



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SECTION 4. IC 9-14-3.5-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 5. As used in this chapter, "personal information" means information that identifies a person, including an individual's:

- (1) **digital** photograph; ~~or computerized image;~~
- (2) Social Security number;
- (3) driver's license or identification document number;
- (4) name;
- (5) address (but not the 5-digit zip code);
- (6) telephone number; or
- (7) medical or disability information.

The term does not include information about vehicular accidents, driving or equipment related violations, and operator's license or registration status.

SECTION 5. IC 9-14-3.5-10.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 10.5. (a) Except as provided in subsections (b) and (c), the bureau may not disclose the following personal information from a person's motor vehicle record:

- (1) Driver's license ~~or digital~~ photograph. ~~or computerized image.~~
- (2) Social Security number.
- (3) Medical or disability information.

(b) The bureau may disclose the personal information described in subsection (a) if the bureau has the express written consent of the person to whom the personal information pertains to release the information described in subsection (a).

(c) The bureau may disclose the personal information described in subsection (a) without the express written consent of the person to whom the personal information pertains if the person requesting the information:

- (1) provides proof of identity; and
- (2) represents that the use of the personal information will be strictly limited to at least one (1) of the uses set forth in section 10(1), 10(4), 10(6), and 10(9) of this chapter.

SECTION 6. IC 9-18-2-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. (a) Within sixty (60) days of becoming an Indiana resident, a person must register all motor vehicles owned by the person that:

- (1) are subject to the motor vehicle excise tax under IC 6-6-5; and
- (2) will be operated in Indiana.

(b) Within sixty (60) days after becoming an Indiana resident, a person must register all commercial vehicles owned by the person that:

- (1) are subject to the commercial vehicle excise tax under

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IC 6-6-5.5;

(2) are not subject to proportional registration under the International Registration Plan; and

(3) will be operated in Indiana.

(c) A person must produce evidence concerning the date on which the person became an Indiana resident.

(d) Except as provided in subsection (e), an Indiana resident must register all motor vehicles operated in Indiana.

(e) An Indiana resident who has a legal residence in a state that is not contiguous to Indiana may operate a motor vehicle in Indiana for not more than sixty (60) days without registering the motor vehicle in Indiana.

(f) An Indiana resident who has registered a motor vehicle in Indiana in any previous registration year is not required to register the motor vehicle, is not required to pay motor vehicle excise tax under IC 6-6-5 or the commercial vehicle excise tax under IC 6-6-5.5 on the motor vehicle, and is exempt from property tax on the motor vehicle for any registration year in which:

(1) the Indiana resident is:

(A) an active member of the armed forces of the United States; and

(B) assigned to a duty station outside Indiana; and

(2) the motor vehicle is not operated inside or outside Indiana.

This subsection may not be construed as granting the bureau authority to require the registration of any vehicle that is not operated in Indiana.

(g) When an Indiana resident registers a motor vehicle in Indiana after the period of exemption described in subsection (f), the Indiana resident may submit an affidavit that:

(1) states facts demonstrating that the motor vehicle is a motor vehicle described in subsection (e); and

(2) is signed by the owner of the motor vehicle under penalties of perjury;

as sufficient proof that the owner of the motor vehicle is not required to register the motor vehicle during a registration year described in subsection (f). The commission or bureau may not require the Indiana resident to pay any civil penalty or any reinstatement or other fee that is not also charged to other motor vehicles being registered in the same registration year.

(h) The bureau may temporarily invalidate a motor vehicle registration that the bureau believes to have been issued as a result of fraudulent documentation. The bureau may adopt rules under IC 4-22-2 to establish a procedure to temporarily invalidate a

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1 **registration that the bureau believes to have been issued based on**
 2 **fraudulent documentation.**

3 SECTION 7. IC 9-24-2-3 IS AMENDED TO READ AS FOLLOWS
 4 [EFFECTIVE JULY 1, 2007]: Sec. 3. (a) The bureau may not issue a
 5 license or permit to the following individuals:

6 (1) An individual whose license issued under Indiana law to
 7 operate a motor vehicle as an operator, a chauffeur, or a public
 8 passenger chauffeur has been suspended, during the period for
 9 which the license was suspended, or to an individual whose
 10 license has been revoked, until the time the bureau is authorized
 11 under Indiana law to issue the individual a new license.

12 (2) An individual whose learner's permit has been suspended or
 13 revoked until the time the bureau is authorized under Indiana law
 14 to issue the individual a new permit.

15 (3) An individual who, in the opinion of the bureau, is afflicted
 16 with or suffering from a physical or mental disability or disease
 17 that prevents the individual from exercising reasonable and
 18 ordinary control over a motor vehicle while operating the vehicle
 19 upon the public highways.

20 (4) An individual who is unable to understand highway warnings
 21 or direction signs written in the English language.

22 (5) An individual who is required under this chapter to take an
 23 examination unless the person successfully passes the
 24 examination.

25 (6) An individual who is required under IC 9-25 to deposit proof
 26 of financial responsibility and who has not deposited that proof.

27 (7) An individual when the bureau has good cause to believe that
 28 the operation of a motor vehicle on a public highway of Indiana
 29 by the individual would be inimical to public safety or welfare.

30 (8) An individual who is the subject of an order issued by:

31 (A) a court under IC 31-14-12-4 or IC 31-16-12-7 (or
 32 IC 31-1-11.5-13 or IC 31-6-6.1-16 before their repeal); or

33 (B) the Title IV-D agency;

34 ordering that a driving license or permit not be issued to the
 35 individual.

36 **(9) An individual who has not presented valid documentary**
 37 **evidence to the bureau of the person's legal status in the**
 38 **United States, as required by IC 9-24-9-2.5.**

39 (b) An individual subject to epileptic seizures may not be denied a
 40 license under this section if the individual presents a statement from a
 41 licensed physician that the individual is under medication and is free
 42 from seizures while under medication.

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SECTION 8. IC 9-24-9-2, AS AMENDED BY P.L.123-2005, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. **(a) Before January 1, 2008**, each application for a license or permit under this chapter must require the following information:

(1) The name, date of birth, sex, Social Security number, and mailing address, and, if different from the mailing address, the residence address of the applicant. The applicant shall indicate to the bureau:

(A) which address the license or permit shall contain; and

(B) whether the Social Security number or another distinguishing number shall be the distinctive identification number used on the license or permit.

(2) Whether the applicant has been licensed as an operator, a chauffeur, or a public passenger chauffeur or has been the holder of a learner's permit, and if so, when and by what state.

(3) Whether the applicant's license or permit has ever been suspended or revoked, and if so, the date of and the reason for the suspension or revocation.

(4) Whether the applicant has been convicted of a crime punishable as a felony under Indiana motor vehicle law or any other felony in the commission of which a motor vehicle was used.

(5) Whether the applicant has a physical or mental disability, and if so, the nature of the disability and other information the bureau directs.

The bureau shall maintain records of the information provided under subdivisions (1) through (5).

(b) After December 31, 2007, each application for a license or permit under this chapter must require the following information:

(1) The full legal name of the applicant.

(2) The applicant's date of birth.

(3) The gender of the applicant.

(4) The applicant's height, weight, hair color, and eye color.

(5) The principal address and mailing address of the applicant.

(6) A:

(A) valid Social Security number; or

(B) verification of an applicant's:

(i) ineligibility to be issued a Social Security number; and

(ii) identity and lawful status.

(7) Whether the applicant has been subject to fainting spells

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or seizures.

(8) Whether the applicant has been licensed as an operator, a chauffeur, or a public passenger chauffeur or has been the holder of a learner's permit, and if so, when and by what state.

(9) Whether the applicant's license or permit has ever been suspended or revoked, and if so, the date of and the reason for the suspension or revocation.

(10) Whether the applicant has been convicted of a crime punishable as a felony under Indiana motor vehicle law or any other felony in the commission of which a motor vehicle was used.

(11) Whether the applicant has a physical or mental disability, and if so, the nature of the disability and other information the bureau directs.

(12) The signature of the applicant.

The bureau shall maintain records of the information provided under subdivisions (1) through (12).

(c) The bureau may temporarily invalidate a license or permit that it believes to have been issued as a result of fraudulent documentation.

(d) The bureau:

(1) shall adopt rules under IC 4-22-2 to establish a procedure to verify an applicant's identity and lawful status; and

(2) may adopt rules under IC 4-22-2 to establish a procedure to temporarily invalidate a license or permit that it believes to have been issued based on fraudulent documentation.

SECTION 9. IC 9-24-9-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2.5. In addition to the information required from the applicant for a license or permit under sections 1 and 2 of this chapter, the bureau shall require an applicant to present to the bureau valid documentary evidence that the applicant is a:

(1) citizen;

(2) legal permanent resident; or

(3) conditional resident alien;

of the United States.

SECTION 10. IC 9-24-11-3, AS AMENDED BY P.L.156-2006, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 3. (a) A license issued to an individual less than eighteen (18) years of age is a probationary license.

(b) An individual holds a probationary license subject to the

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following conditions:

(1) Except as provided in IC 31-37-3, the individual may not operate a motor vehicle during the curfew hours specified in IC 31-37-3-2.

(2) During the ninety (90) days following the issuance of the probationary license, the individual may not operate a motor vehicle in which there are passengers unless another individual who:

(A) is at least twenty-one (21) years of age; and

(B) holds a valid operator's license issued under this article; is present in the front seat of the motor vehicle.

(3) The individual may operate a motor vehicle only if the individual and each occupant of the motor vehicle has a safety belt properly fastened about the occupant's body at all times when the motor vehicle is in motion.

(c) An individual who holds a probationary license issued under this section may receive an operator's license, a chauffeur's license, a public passenger chauffeur's license, or a commercial driver's license when the individual is at least eighteen (18) years of age.

(d) **Except as provided in subsection (e)**, a probationary license issued under this section:

(1) expires at midnight of the twenty-first birthday of the holder; and

(2) may not be renewed.

(e) A probationary license issued under this section to an individual who complies with IC 9-24-9-2.5(2) or IC 9-24-9-2.5(3) expires:

(1) at midnight one (1) year after issuance if there is no expiration date on the authorization to be a legal permanent resident or conditional resident alien of the United States of the holder; or

(2) if there is an expiration date on the authorization to be a legal permanent resident or conditional resident alien of the United States, the earlier of the following:

(A) At midnight of the date the authorization to be a legal permanent resident or conditional resident alien of the United States of the holder expires.

(B) At midnight of the twenty-first birthday of the holder.

SECTION 11. IC 9-24-11-5, AS AMENDED BY P.L.37-2006, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 5. (a) A permit or license issued under this chapter must bear the distinguishing number assigned to the permittee or

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licensee, and must contain the following information:

- (1) The full legal name of the permittee or licensee.
 - (2) The date of birth of the permittee or licensee.
 - (3) The mailing address or of the principal residence address of the permittee or licensee.
 - (4) a brief description The hair color and eye color of the permittee or licensee.
 - (5) The date of issue and expiration date of the permit or license.
 - (6) The gender of the permittee or licensee.
 - (7) The unique identifying number of the permit or license.
 - (8) The weight of the permittee or licensee.
 - (9) The height of the permittee or licensee.
 - (10) A reproduction of the signature of the permittee or licensee.
 - ~~(5)~~ (11) If the permittee or licensee is less than eighteen (18) years of age at the time of issuance, the dates on which the permittee or licensee will become:
 - (A) eighteen (18) years of age; and
 - (B) twenty-one (21) years of age.
 - ~~(6)~~ (12) If the permittee or licensee is at least eighteen (18) years of age but less than twenty-one (21) years of age at the time of issuance, the date on which the permittee or licensee will become twenty-one (21) years of age. and
 - ~~(7)~~ (13) Except as provided in subsection ~~(c)~~ (b) or (c), for the purpose of identification, a:
 - (A) photograph; or
 - ~~(B)~~ computerized image; a digital photograph of the permittee or licensee.
- and additional information that the bureau considers necessary, including a space for reproduction of the signature of the permittee or licensee. If the permittee or licensee has not indicated to the bureau under IC 9-24-9-2 that the Social Security number shall be the distinguishing number to be used; the Social Security number may not be shown on the permit or license.
- (b) In carrying out this section, the bureau shall obtain the equipment necessary to provide the photographs and computerized images for permits and licenses as provided in subsection (a):
- ~~(c)~~ (b) The following permits or licenses do not require a digital photograph: or computerized image:
- (1) Temporary motorcycle learner's permit issued under IC 9-24-8.

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(2) Motorcycle learner's permit issued under IC 9-24-8.

~~(3) Operator's license reissued under IC 9-24-12-6.~~

~~(d)~~ (c) The bureau may provide for the omission of a photograph or computerized image from any other license or permit if there is good cause for the omission. **However, a license issued without a digital photograph must include the language described in subsection (f).**

~~(e)~~ (d) The information contained on the permit or license as required by subsection ~~(a)(5)~~ (a)(11) or ~~(a)(6)~~ (a)(12) for a permittee or licensee who is less than twenty-one (21) years of age at the time of issuance shall be printed ~~perpendicular to the bottom edge of~~ **prominently on** the permit or license.

~~(f)~~ (e) This subsection applies to a permit or license issued after January 1, 2007. If the applicant for a permit or license submits information to the bureau concerning the applicant's medical condition, the bureau shall place an identifying symbol on the face of the permit or license to indicate that the applicant has a medical condition of note. The bureau shall include information on the permit or license that briefly describes the medical condition of the holder of the permit or license. The information must be printed in a manner that alerts a person reading the permit or license to the existence of the medical condition. The permittee or licensee is responsible for the accuracy of the information concerning the medical condition submitted under this subsection. The bureau shall inform an applicant that submission of information under this subsection is voluntary.

(f) Any license or permit issued by the state that does not require a digital photograph must include the statement "May not be accepted by any federal agency for federal identification or any other federal purpose."

(g) A license or permit issued by the state to an individual who:

- (1) has an approved application for asylum in the United States or has entered into the United States in refugee status;
- (2) has a valid, unexpired nonimmigrant visa or has nonimmigrant visa status for entry in the United States;
- (3) has a pending application for asylum in the United States;
- (4) has a pending or approved application for temporary protected status in the United States;
- (5) has approved deferred action status; or
- (6) has a pending application for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent residence status in the United States;

must be clearly identified as a temporary license or permit. A

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1 temporary license or permit issued under this subsection may not
 2 be renewed without the presentation of valid documentary
 3 evidence proving that the licensee's or permittee's temporary status
 4 has been extended.

5 ~~(g)~~ **(h)** The bureau may adopt rules under IC 4-22-2 to carry out this
 6 section.

7 SECTION 12. IC 9-24-12-1, AS AMENDED BY P.L.156-2006,
 8 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2007]: Sec. 1. (a) Except as provided in subsection (b) **and (d)**
 10 and section 10 of this chapter, an operator's license issued under this
 11 article ~~after December 31, 1996, and~~ before January 1, 2006, expires
 12 at midnight of the birthday of the holder that occurs four (4) years
 13 following the date of issuance.

14 (b) Except as provided in sections 10, ~~and 11, and 12~~ of this
 15 chapter, an operator's license issued ~~after December 31, 1996,~~ to an
 16 applicant who is at least seventy-five (75) years of age expires at
 17 midnight of the birthday of the holder that occurs three (3) years
 18 following the date of issuance.

19 (c) Except as provided in subsections (b) and (d) and sections 10,
 20 ~~and 11, and 12~~ of this chapter, after December 31, 2005, an operator's
 21 license issued under this article expires at midnight of the birthday of
 22 the holder that occurs six (6) years following the date of issuance.

23 (d) A probationary operator's license issued under IC 9-24-11-3
 24 expires at midnight of the twenty-first birthday of the holder.

25 SECTION 13. IC 9-24-12-2, AS AMENDED BY P.L.156-2006,
 26 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 JULY 1, 2007]: Sec. 2. (a) Except as provided in section 10 of this
 28 chapter, a chauffeur's license issued under this article after December
 29 31, 1996, and before January 1, 2006, expires at midnight of the
 30 birthday of the holder that occurs four (4) years following the date of
 31 issuance.

32 (b) After December 31, 2005, and except as provided in subsection
 33 (c) and sections 10, ~~and 11, and 12~~ of this chapter, a chauffeur's license
 34 issued under this article expires at midnight of the birthday of the
 35 holder that occurs six (6) years following the date of issuance.

36 (c) Except as provided in subsection (b) and ~~section~~ **sections 10, 11,**
 37 **and 12** of this chapter, a chauffeur's license issued ~~after June 30, 2006,~~
 38 to an applicant who is at least seventy-five (75) years of age expires at
 39 midnight of the birthday of the holder that occurs three (3) years
 40 following the date of issuance.

41 SECTION 14. IC 9-24-12-3, AS AMENDED BY P.L.41-2006,
 42 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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JULY 1, 2007]: Sec. 3. Except as provided in ~~section~~ **sections 11 and 12** of this chapter, a public passenger chauffeur's license issued under this article ~~after December 31, 1996,~~ expires at midnight of the birthday of the holder that occurs two (2) years following the date of issuance.

SECTION 15. IC 9-24-12-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4. **(a) Except as provided in subsections (b) and (c),** the application for renewal of:

- (1) an operator's license;
- (2) a motorcycle operator's license;
- (3) a chauffeur's license;
- (4) a public passenger chauffeur's license; or
- (5) an identification card;

under this article may be filed not more than ~~six (6)~~ **twelve (12)** months before the expiration date of the license or identification card held by the applicant.

(b) When the applicant complies with IC 9-24-9-2.5(3), an application for renewal of a driver's license in subsection (a)(1), (a)(2), (a)(3), or (a)(4) may be filed not more than one (1) month before the expiration date of the license held by the applicant.

(c) When an applicant complies with IC 9-24-16-3.5(1)(C), an application for renewal of an identification card in subsection (a)(5) may be filed not more than one (1) month before the expiration date of the identification card held by the applicant.

SECTION 16. IC 9-24-12-7, AS AMENDED BY P.L.156-2006, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 7. (a) Except as provided in subsection (b) and section 10 of this chapter, a motorcycle operator's license issued ~~after December 31, 1996, and~~ before January 1, 2006, expires at midnight of the birthday of the holder that occurs four (4) years following the date of issuance.

(b) Except as provided in sections 10, ~~and~~ 11, **and 12** of this chapter, a motorcycle operator's license issued after December 31, 1996, to an applicant who is at least seventy-five (75) years of age expires at midnight of the birthday of the holder that occurs three (3) years following the date of issuance.

(c) After December 31, 2005, except as provided in subsection (b) and ~~section~~ **sections 10, 11, and 12** of this chapter, a motorcycle operator's license issued under this article expires at midnight of the birthday of the holder that occurs six (6) years following the date of issuance.

(d) A motorcycle operator endorsement remains in effect for the

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same term as the license being endorsed and is subject to renewal at and after the expiration of the license in accordance with this chapter.

SECTION 17. IC 9-24-12-12 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 12. (a) This section applies to a driver's license issued under:**

- (1) IC 9-24-3;
- (2) IC 9-24-4;
- (3) IC 9-24-5; and
- (4) IC 9-24-8.

(b) A driver's license listed in subsection (a) that is issued after December 31, 2007, to an applicant who complies with IC 9-24-9-2.5(2) or IC 9-24-9-2.5(3) expires:

(1) at midnight one (1) year after issuance, if there is no expiration date on the authorization to be a:

- (A) legal permanent resident; or
- (B) conditional resident alien;

of the United States of the holder; or

(2) if there is an expiration date on the authorization to be a legal permanent resident or conditional resident alien of the United States of the holder, the earlier of the following:

(A) At midnight of the date the authorization of the holder to be a legal permanent resident or conditional resident alien of the United States expires.

(B) At midnight of the birthday of the holder that occurs six (6) years after the date of issuance.

SECTION 18. IC 9-24-16-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 1.** The bureau shall issue an identification card to an individual who meets the following conditions:

- (1) Makes an application.
- (2) Is a resident of Indiana.
- (3) **Has presented valid documentary evidence to the bureau of the individual's legal status in the United States, as required by section 3.5 of this chapter.**

SECTION 19. IC 9-24-16-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 2. (a) Before January 1, 2008,** an application for an identification card issued under this chapter must meet the following conditions:

- (1) Made upon an approved form provided by the bureau, which shall include the mailing address, and if different from the mailing address, the residence address of the applicant.

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(2) Verified by the applicant before a person authorized to administer oaths and affirmations.

(b) After December 31, 2007, an application for an identification card issued under this chapter must require the following information concerning an applicant:

- (1) The full legal name of the applicant.
- (2) The applicant's date of birth.
- (3) The gender of the applicant.
- (4) The applicant's height, weight, hair color, and eye color.
- (5) The principal address and mailing address of the applicant.
- (6) A:
 - (A) valid Social Security number; or
 - (B) verification of an applicant's:
 - (i) ineligibility to be issued a Social Security number; and
 - (ii) identity and lawful status.

The bureau shall maintain records of the information provided under subdivisions (1) through (6).

(c) The bureau may temporarily invalidate an identification card that it believes to have been issued as a result of fraudulent documentation.

(d) The bureau:

- (1) shall adopt rules under IC 4-22-2 to establish a procedure to verify an applicant's identity and lawful status; and
- (2) may adopt rules to establish a procedure to temporarily invalidate an identification card that it believes to have been issued based on fraudulent documentation.

SECTION 20. IC 9-24-16-3, AS AMENDED BY P.L.37-2006, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 3. (a) An identification card must have the same dimensions and shape as a driver's license, but the card must have markings sufficient to distinguish the card from a driver's license.

(b) The front side of an identification card must contain the expiration date of the identification card and the following information about the individual to whom the card is being issued:

- (1) Full legal name.
- (2) ~~Mailing address and, if different from the mailing address, The address of the principal residence. address.~~
- (3) Date of birth.
- (4) Date of issue and date of expiration.
- (5) ~~Distinctive Unique~~ identification number. ~~or Social Security number, whichever is requested by the individual. If the~~

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individual has not requested that the Social Security number be the distinctive identification number to be used; the Social Security number may not be shown on the identification card.

(6) ~~Sex: Gender.~~

(7) Weight.

(8) Height.

(9) Color of eyes and hair.

(10) Reproduction of the signature of the individual identified.

(11) Whether the individual is blind (as defined in IC 12-7-2-21(1)).

(12) If the individual is less than eighteen (18) years of age at the time of issuance, the dates on which the individual will become:

(A) eighteen (18) years of age; and

(B) twenty-one (21) years of age.

(13) If the individual is at least eighteen (18) years of age but less than twenty-one (21) years of age at the time of issuance, the date on which the individual will become twenty-one (21) years of age.

(14) ~~Digital photograph or computerized image of the individual.~~

(c) The information contained on the identification card as required by subsection (b)(12) or (b)(13) for an individual who is less than twenty-one (21) years of age at the time of issuance shall be printed ~~perpendicular to the bottom edge of~~ **prominently on** the permit or license.

(d) ~~This subsection applies to an identification card issued after January 1, 2007.~~ If the applicant for an identification card submits information to the bureau concerning the applicant's medical condition, the bureau shall place an identifying symbol on the face of the identification card to indicate that the applicant has a medical condition of note. The bureau shall include information on the identification card that briefly describes the medical condition of the holder of the card. The information must be printed in a manner that alerts a person reading the card to the existence of the medical condition. The applicant for an identification card is responsible for the accuracy of the information concerning the medical condition submitted under this subsection. The bureau shall inform an applicant that submission of information under this subsection is voluntary.

(e) **An identification card issued by the state that does not require a digital photograph must include the statement "May not be accepted by any federal agency for federal identification or any other federal purpose."**

(f) **An identification card issued by the state to an individual**

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1 who:

- 2 (1) has an approved application for asylum in the United
 3 States or has entered into the United States in refugee status;
 4 (2) has a valid, unexpired nonimmigrant visa or has
 5 nonimmigrant visa status for entry in the United States;
 6 (3) has a pending application for asylum in the United States;
 7 (4) has a pending or approved application for temporary
 8 protected status in the United States;
 9 (5) has approved deferred action status; or
 10 (6) has a pending application for adjustment of status to that
 11 of an alien lawfully admitted for permanent residence in the
 12 United States or conditional permanent residence status in the
 13 United States;

14 must be clearly identified as a temporary identification card. A
 15 temporary identification card issued under this subsection may not
 16 be renewed without the presentation of valid documentary
 17 evidence proving that the holder of the identification card's
 18 temporary status has been extended.

19 SECTION 21. IC 9-24-16-3.5 IS ADDED TO THE INDIANA
 20 CODE AS A NEW SECTION TO READ AS FOLLOWS
 21 [EFFECTIVE JULY 1, 2007]: **Sec. 3.5. In addition to the**
 22 **information required for the applicant for an identification card**
 23 **under section 3 of this chapter, the bureau shall require an**
 24 **applicant to present to the bureau:**

- 25 (1) valid documentary evidence that the applicant is a:
 26 (A) citizen;
 27 (B) legal permanent resident; or
 28 (C) conditional resident alien;
 29 of the United States; and
 30 (2) evidence of the Social Security number of the applicant. If
 31 federal law prohibits the issuance of a Social Security number
 32 to the applicant, the applicant must provide verification of the
 33 applicant's ineligibility to be issued a Social Security number.

34 SECTION 22. IC 9-24-16-4, AS AMENDED BY P.L.210-2005,
 35 SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2007]: **Sec. 4. (a) Except as provided in subsection (b), an**
 37 **identification card issued:**

- 38 (1) before January 1, 2006, expires on the fourth birthday of the
 39 applicant following the date of issue; and
 40 (2) after December 31, 2005, expires at midnight of the birthday
 41 of the holder that occurs six (6) years following the date of
 42 issuance.

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(b) An identification card issued under this article after December 31, 2007, to an applicant who complies with section 3.5(1)(B) or 3.5(1)(C) of this chapter expires:

(1) at midnight one (1) year after issuance, if there is no expiration date on the authorization to be a legal permanent resident or conditional resident alien of the United States of the holder; or

(2) if there is an expiration date on the authorization to be a legal permanent resident or conditional resident alien of the United States of the holder, the earlier of the following:

(A) At midnight of the date the authorization of the holder to be a legal permanent resident or conditional resident alien of the United States expires.

(B) At midnight of the birthday of the holder that occurs six (6) years after the date of issuance.

SECTION 23. IC 9-24-16-5, AS AMENDED BY P.L.210-2005, SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 5. (a) An application for renewal of an identification card may be made not more than ~~six (6)~~ **twelve (12)** months before the expiration date of the card. **However, when the applicant complies with section 3.5(1)(C) of this chapter, an application for renewal of an identification card may be filed not more than one (1) month before the expiration date of the identification card held by the applicant.** A renewal application received after the date of expiration is considered to be a new application.

(b) **Except as provided in subsection (e),** a renewed card issued:

(1) before January 1, 2006, becomes valid on the birth date of the holder and remains valid for four (4) years; and

(2) after December 31, 2005, is valid on the birth date of the holder and remains valid for six (6) years.

(c) If renewal has not been made within six (6) months after expiration, the bureau shall destroy all records pertaining to the former cardholder.

(d) Renewal may not be granted if the cardholder was issued a driver's license subsequent to the last issuance of an identification card.

(e) A renewed identification card issued under this article after December 31, 2007, to an applicant who complies with section 3.5(1)(B) or section 3.5(1)(C) of this chapter expires:

(1) at midnight one (1) year after issuance, if there is no expiration date on the authorization to be a legal permanent resident or conditional resident alien of the United States of

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1 the holder; or

2 (2) if there is an expiration date on the authorization to be a
3 legal permanent resident or conditional resident alien of the
4 United States of the holder, the earlier of the following:

5 (A) At midnight of the date the authorization of the holder
6 to be a legal permanent resident or conditional resident
7 alien of the United States expires.

8 (B) At midnight of the birthday of the holder that occurs
9 six (6) years after the date of issuance.

10 SECTION 24. IC 9-29-3-13 IS AMENDED TO READ AS
11 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 13. The service charge
12 for each license that is required to bear a **digital** photograph ~~or~~
13 ~~computerized image~~ is fifty cents (\$0.50).

14 SECTION 25. [EFFECTIVE UPON PASSAGE] (a)
15 Notwithstanding IC 9-24-9-2(d)(1), as added by this act, the bureau
16 of motor vehicles shall carry out the duties imposed upon the
17 bureau of motor vehicles under IC 9-24-9-2(d)(1), as added by this
18 act, under interim written guidelines approved by the
19 commissioner of the bureau of motor vehicles.

20 (b) This SECTION expires on the earlier of the following:

21 (1) The date rules are adopted under IC 9-24-9-2(d)(1), as
22 added by this act.

23 (2) December 31, 2008.

24 SECTION 26. An emergency is declared for this act.

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